



DOCKET NO.: M1059.70000US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fred G. Benkley III  
Serial No.: 10/689,107  
Confirmation No.: 4260  
Filed: October 20, 2003  
For: SWIPED APERTURE CAPACITIVE FINGERPRINT  
SENSING SYSTEMS AND METHODS  
Examiner: Aaron W. Carter  
Art Unit: 2625

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 13<sup>th</sup> day of January, 2006.

*Paula K. Fairweather*  
Paula K. Fairweather

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**MAIL STOP RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART V: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

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Docket No.: M1059.70000US01  
Date: January 13, 2006  
**xNDDx**



FORM PTO/SB/08A and B (modified PTO/SB/08)				APPLICATION NO.: 10/689,107	ATTY. DOCKET NO.: M1059.70000US01
				FILING DATE: October 20, 2003	CONFIRMATION NO.: 4260
				APPLICANT: Fred G. Benkley III	
Sheet	1	of	1	GROUP ART UNIT: 2625	EXAMINER: Aaron W. Carter

#### U.S. PATENT DOCUMENTS

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		5,852,670	A	Setlak et al.	12/22/1998
		6,333,989	B1	Stephen J. Borza	12/25/2001
		6,672,174	B2	Deconde et al.	01/06/2004
		US-2004/0012773	A1	Frank Puttkammer	01/22/2004
		US-2005/0100196	A1	Scott et al.	05/12/2005

#### FOREIGN PATENT DOCUMENTS

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			
		EP	1 139 301	A2	Matsushita Electric Industrial Co., Ltd.	10/04/2001	
		EP	1 531 419	A2	Fujitsu Ltd.	05/18/2005	
		GB	2 331 613	A	International Business Machines Corp.	05/26/1999	
		WO	90/03620	A1	Fingermatrix, Inc.	04/05/1990	
		WO	01/22349	A1	Fingerpin AG	03/29/2001	
		WO	01/94902	A	INDEX AS	12/13/2001	
		WO	02/47018	A2	Metro Engineering Associates, Inc.	06/13/2002	
		WO	02/077907	A1	Siemens Aktiengesellschaft	10/03/2002	

#### OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials #	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Search Report Mailed September 8, 2005 for International Application No.: PCT/US2005/012792	
		Search Report Mailed December 12, 2005 for International Application No.: PCT/US2005/013943	
		Search Report Mailed December 22, 2005 for International Application No.: EP 05 02 1634	
		DAVIDE MALTONI, "Handbook of Fingerprint Recognition", XP002355942 Springer, New York, USA, June 2003, (2003-06) pgs. 65-69	
		VERMESAN et al., "A 500-dpi AC Capacitive Hybrid Flip-Chip CMOS ASIC/Sensor Module for Fingerprint, Navigation, and Pointer Detection With On-Chip Data Processing", IEEE Journal of Solid State Circuits, Vol. 38, No. 12, December 2003, pgs. 2288-2294.	

EXAMINER:	DATE CONSIDERED:
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<sup>#</sup> EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_\_, filed \_\_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]